



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: Confirmation No. 7081

Koji ONO et al.

: Docket No. 2003_1185

Serial No. 10/644,766

: Group Art Unit 3723

Filed August 21, 2003

: Examiner M. T. RACHUBA

POLISHING APPARATUS

RESPONSE TO THE ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

In response to the PTO communication dated October 22, 2004, indicating that the Response filed August 30, 2004, is non-responsive to the Election of Species Requirement mailed July 28, 2004, the following is provided.

Because claims 1-4 and 9-17 are each directed to the embodiment represented by Figs. 9(a) and 9(b) (i.e. a single species), it is respectfully submitted that the Response filed August 30, 2004 is fully responsive. In any event, Applicants by their undersigned representative, hereby elect the invention of Species 1, 2, 3 and 7 as identified by the Examiner in the Office Action mailed July 28, 2004. Claims 1-4 and 9-17 are believed to be readable on these species. The following is an explanation as to why Applicants should be entitled to elect the claims corresponding to Species 1, 2, 3 and 7 as identified above.

Claim 2 corresponds to Species 1 as identified by the Examiner, and since claim 2 is dependent on claim 1, claim 1 is entitled to examination along with claim 2. Claim 4 includes the subject matter of claim 2 and thus is entitled to examination along with claim 2. Claim 4 also includes an additional limitation of a sensor for detecting failure of a substrate outside of the substrate holding member, and thus, any other claim reciting only this additional limitation is entitled to examination along with claim 4. Claim 3 recites only this additional limitation, and accordingly, claim 3 is entitled

to examination along with claim 4. Claims 9 and 12 corresponds to Species 7 as identified by the Examiner, which is of a different category than is Species 1-3, whereby Applicants are entitled to examination of claims 9 and 12. Similarly, claim 10 is not of the same category as that of species 1-3 or 7, and accordingly, claim 10 is entitled to examination. Claim 11 broadly recites two of the sensors as recited in claims 1-4, whereby claim 11 is entitled to examination. Claims 13-17 recite sensors as recited in claims 1-4, and thus claims 13-17 are entitled to examination.

Having made the required election, a full examination on the merits of the elected invention is hereby requested.

If the Examiner has any questions with regard to the species and claims elected by Applicants, then the Examiner is respectfully requested to contact Applicants' undersigned representative via telephone so as to resolve any issues.

Respectfully submitted,

Koji ONO et al.

By:



Joseph M. Gorski
Registration No. 46,500
Attorney for Applicants

JMG/edg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
November 3, 2004